



PLANS PANEL EAST

Date: 14th January 2010

Subject: APPLICATION 09/01462/FU – Variation of condition 22, laying out of car parking area of application 07/03669/FU at Peel Street/Melbourne Street, Morley.

APPLICANT

Compass Properties (Leeds)
LLP

DATE VALID

3 April 2009

TARGET DATE

3 July 2009

Electoral Wards Affected:

Morley South

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PERMISSION subject to the following conditions:

1. Time Limit on Full Permission 3 Years
2. Samples of Walling and Roofing materials to be submitted.
3. Fencing and/or walls to be provided.
4. Samples Surfacing Materials Submitted Landscaping to be submitted.
5. Submission of Landscaping Details
6. Implementation of Landscaping Scheme
7. Provision for Replacement of Trees
8. Provision of Cycle Parking
9. Facilities for Storage/Disposal Litter
10. Green-space enhancements
11. Water Disposal to be agreed.
12. Feasibility study into Infiltration Drainage
13. Contaminated Land Information
14. Contaminated Land Amended Remediation Statement
15. Contaminated Land Verification Report.
16. All car parking as provided, retained (amended no. of spaces) and to remain unallocated thereafter.

17. Visibility splay to be provided.

Reasons for approval:

The application is considered to comply with policies GP5, N2, N4, N13, H4, T2, T24, BD5 and LD1 of the UDP Review, as well as guidance contained within the Supplementary Planning Document - Street Design Guide (2009), PPS1, PPS3 and PPG13, and having regard to all other material considerations, as such the application is recommended for approval.

1.0 INTRODUCTION:

- 1.1 This application is brought to Plans Panel (East) given that it seeks to vary an earlier permission, ref. 07/03669/FU, as granted at Plans Panel (East) dated 30th August 2007. This variation amounts to a replacement of 13 'allocated' car parking spaces with 9 'unallocated' car parking spaces. Since the August 2007 Panel there has been a change in planning policy guidance in respect of parking provision and the recommendation to approve reduced parking reflects this updated guidance.
- 1.2 This application was considered at Plans Panel East on the 10th December 2009, where Officers had recommended approval of the proposal, subject to conditions. However, at that meeting Councillor Finnigan requested to defer the application to allow for a site visit to be made and the application's parking survey to be attached for Members to consider. Members agreed to this request.
- 1.3 The applicant's parking survey, which comprises a series of colour photographs and covering letter, is being distributed to Members under separate cover (so as to retain their original print clarity). The photographs are stamped with the time that they were taken; the letter refers to whether this is weekdays or weekends. The photos also show that little use through the day is made of the car park which is available to residents to the west side of Melbourne Street. The photos also show that on-street parking is more apparent during the weekday daytime hours but is much less evident during evening/off-peak hours when the residential parking demand will be much more apparent. As part of the assessment of the application, highway officers have carried out their own site visits to observe highway conditions, including the extent of off-street parking. In summary it is considered that on balance, the off-street parking capacity (and on-street capacity should it ever be required) for residents will be available at acceptable levels at all times and particularly so in evenings/off-peak when they would need it most.

2.0 PROPOSAL:

- 2.1 The application is to re-designate and vary (reduce) the level of off-street parking that was attached to approval ref. 07/03669/FU, which has now been developed as a new build residential block of 13no x 1-bed flats. The flats are occupied.
- 2.2 The applicant is looking to re-designate the type of off-street car parking that is provided to serve the development. The current application is to provide a total of 9no 'unallocated' spaces as opposed to 13no 'allocated' spaces, which were previously approved in 2007. 3no spaces would remain within the site of the flat complex and 6no provided across Melbourne Street opposite the flats. Both of these pieces of land (either side of Melbourne Street) formed the overall 2007 site (as reflected in this application).

- 2.3 The term 'unallocated' means that spaces are not allocated to the individual occupiers of the flats and therefore can be used more flexibly. All other parts of the scheme are as previously approved and have not changed.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site was occupied by a red brick built commercial/industrial building previously used as a workshop before last being used as offices.
- 3.2 The approved development of 13no flats has now been built and is occupied by residents. The complex, which is located immediately outside the designated S2 town centre, features 3no car parking spaces immediately adjacent to the residential block. The remaining spaces are located on the opposite side of Melbourne Street, within outside the S2 centre, but have not formally been laid out.
- 3.3 The site is abutted by two storey residential properties/three storey flats alongside and opposite on Peel Street. Along Melbourne Street, the applicant has office premises (a converted workshop/warehouse building of 2 storeys) which adjoin the area proposed for the additional 4no parking spaces. Melbourne Street has an array of buildings used for education, office and industrial purposes. The area is mixed residential and commercial in character.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 07/03669/FU – Part two storey and part three storey block of 13 one bedroom flats, with 13 car parking spaces – Approved 03.09.07
- 4.2 08/03931/FU - Part 4 storey part 2 storey block of 13 flats, 1 office unit and ground floor covered car parking – Withdrawn 30.10.08 (this application was proposed largely on the adjoining site, as termed by the applicants as 'Phase II', but is relevant as it also formed part of the parking space afforded to the current application – termed by the applicants as 'Phase I').
- 4.3 09/00358/FU - Variation of condition 22, laying out of car parking area of planning permission 07/03669/FU at Peel Street/Melbourne Street, Morley – Withdrawn 01.04.09

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 During the course of assessing application 08/03931/FU (for a mixed residential/office scheme) it became evident that the additional 10no car parking spaces attached to application 07/03669/FU (to be provided further to the 3 spaces sited adjacent to the residential block) had not been provided within the proposals being shown for the re-development of the former workshop/warehouse building site. This 2008 scheme was therefore withdrawn and the applicant was advised that a variation of condition application and a new layout would have to be submitted.
- 5.2 A previous application, ref. 09/00358/FU, proposed 7no spaces, which upon discussions with officers was considered insufficient and the application was therefore withdrawn with a view to increasing the number provided. This resulted in the submission of the current proposal for 9no spaces.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by site notices (on 24th April 2009, expired 15th May 2009).
- 6.2 1 letter of objection has been received from Morley Town Council which raises the following point:

- parking problems exist already given that many surrounding properties do not benefit from any off-street parking – *dealt with in appraisal section*

7.0 CONSULTATION RESPONSES

Statutory:

- 7.1 None.

Non Statutory Consultations:

- 7.2 **Highways** – No objections to level of parking being reduced to 9no spaces subject to a condition requiring that the spaces remain unallocated in perpetuity.
- 7.3 **Morley & Rothwell Town Centre Manager** – No comments received but on previous application 09/00358/FU it was stated that no objections would be raised subject to there being no additional car parking being evident at public car parks on Commercial Street.

8.0 PLANNING POLICIES:

- 8.1 **Development Plan** – The adopted development plan comprises the Regional Spatial Strategy (RSS) and adopted Unitary Development Plan (Review) (UDPR):

UDPR:

GP5 – Requirement of Development Proposals: seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

N2 – Greenspace and Residential Developments: outlines the local ‘establishment hierarchy’ to green space provision

N4 – Greenspace Hierarchy: suggests appropriate calculations to be made for securing green space provision

N13 – Design and New Buildings: requires development to be of high quality and having regard to character/appearance of their surroundings.

H4 – Residential Development (Sites Not Identified in UDPR): development of such sites shall be in a sustainable location, within the capacity of infrastructure and complies with all other UDP policies.

T2 – Transport Provision for Development: development proposals should not create new, or exacerbate existing, highway problems.

T24 – Parking Provision and New Development: outlines guidance on the level of parking considered appropriate for development proposals.

BD5 – Amenity and New Buildings: Amenity and New Buildings: outlines that development proposals should be designed with consideration given to their own and neighbouring amenity considerations.

LD1 – Landscaping Schemes: details considerations required for any landscape scheme including existing and proposed soft (and hard) landscaping

- 8.2 **Relevant supplementary guidance**

Street Design Guide (2009) Supplementary Planning Document (SPD) was adopted in August 2009 – section 3.9 (Car Parking) refers to detailed guidance on suggested car parking provision for residential developments. The consultation draft of this document was approved for development control purposes in September 2007.

8.3 **Government Planning Policy Guidance/Statements**

Planning Policy Statement 1 – Delivering Sustainable Development (2005)

Planning Policy Statement 3 – Housing (2006)

Planning Policy Guidance Note 13 – Transport (2001)

9.0 **MAIN ISSUES**

- Principle of Development
- Car Parking
- Other Considerations

10.0 **APPRAISAL**

Principle of Development

- 10.1 The principle of a residential scheme for flats was established through the approval of application 07/03669/FU, the development of which has been built and now occupied by residents. The site is sustainable in location, being set within/on the border of the Town Centre with its shops, services, facilities and public transport. No concerns are raised under UDPR policy H4 or guidance set out in PPS1/PPS3.

Car Parking

- 10.2 It is understood all the 13 units are now occupied (all rented); however the uptake of the off-street car parking facilities has been limited. The units have been marketed for sale or for rent.
- 10.3 The applicant has produced a parking survey (as submitted through application 09/00358/FU) showing levels of parking on-street around the site arguing there not to be an evident local parking problem. They suggest that much of the on-street daytime parking can be related/connected to their existing operations at their Melbourne Street commercial premises. They outline that this would be re-developed at a future date for residential/commercial purposes, if this application is successful. An indicative layout of this has thus been provided.
- 10.4 The original application deemed that 1 space was required per flat, reflecting guidance set out in the UDPR that states that dwellings in S2 centres should have no more than 1 spaces per dwelling, or a maximum of 1.5 spaces per dwelling (averaged over a development) outside of S2 centres.
- 10.5 The Street Design Guide SPD now updates UDPR guidance with an alternative and more specific car parking advice (based on guidance carried out by the Department for Communities and Local Government, in their 2007 publication 'Residential Car Parking Research').
- 10.6 The current application has re-assessed the off-street parking provision in light of the Street Design Guide and DCLG research, which gives a methodology to differentiate between the off-street parking demand of a development depending on its proportion of

allocated and unallocated car parking spaces. Eventual car parking numbers are calculated in light of this proportion and a number of other factors.

- 10.7 The DCLG document uses 2001 census statistics and suggests that car ownership varies most directly in relation to dwelling type, size and tenure. The variables given are: type – house or flat, size – number of habitable rooms (i.e. all rooms excluding bathrooms – as used in census) and tenure – owned or rented. The 2001 census area statistics are then grown in line with forecasts for car ownership. Actual car parking provision is then related to allocation of spaces to individual dwellings.
- 10.8 The allocation of a spaces to an individual dwelling can have an adverse impact on the efficiency of car parking provision, as there is no flexibility on who can use the spaces. The proposal is that 0% of the spaces are allocated and planning controls will ensure that this remains so in perpetuity. On this basis, the provision of 9 unallocated spaces to serve the 13 flats (assumed to be owner occupied) meets the requirements of the guidance. By way of comparison, if each flat were provided with an allocated space (i.e. 13) then the methodology used would require a further 4 spaces be provided (17 in total).
- 10.9 In summary, the change from allocated car parking to unallocated warrants a review of the overall numbers required to prevent overspill parking taking place. The application seeks permission for the provision of 9 unallocated spaces (rather than the 13 allocated spaces approved under application 07/03669/FU) and a condition has been suggested to ensure that this remains the case thereafter. Given recently adopted local policy guidance and the context of the types/location of property, it is considered this is an acceptable level of parking provision. If the flats were to become owner occupied then the 9 spaces would still meet the guidance set out in the Street Design Guide. The application is therefore considered acceptable to policies T2 and T24 and guidance within the SPD and PPG13.

Other Considerations

- 10.10 All other considerations that were approved under the grant of application 07/03669/FU are still relevant and no concerns are raised against their original assessment; this includes the visual appearance and massing of the development, use of materials and provision of amenity space.
- 10.11 As with application 07/03669/FU, the applicant is still required to contribute to the enhanced provision of off-site green-space with a delivery mechanism achieved by planning condition.
- 10.12 The application is considered to accord with policies GP5, N2, N4, N13, BD5 and LD1.

11.0 CONCLUSION

- 11.1 The revised proposals and application are considered to provide sufficient shared off-street car parking at an appropriate level given the tenure and location of the flats and public transport/shops/facilities available in Morley in close proximity. On balance the application is considered acceptable subject to the application of all relevant conditions as again placed/varied to permission 07/03669/FU.

Background Papers:

Application file

History files 07/03669/FU & 09/00358/FU

Certificate of ownership:
Signed by applicant.

MELBOURNE STREET APARTMENTS
PHASE I



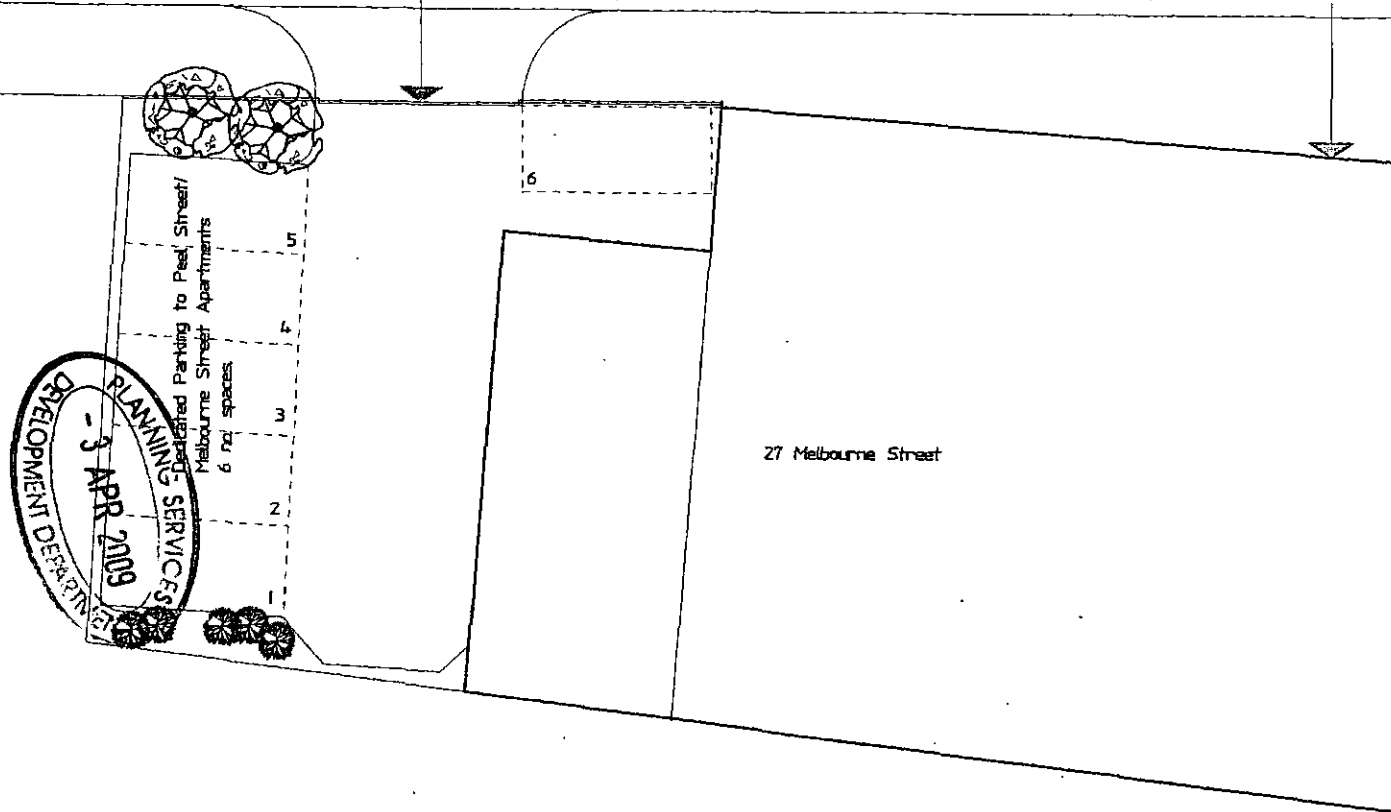
DO NOT SCALE FROM THE DRAWING
ALL DIMENSIONS TO BE CHECKED
ON SITE

09 / 01462
No

MELBOURNE STREET

Card-operated security
gate

Access to 27 Melbourne Street



DRAWING

Additional parking dedicated
to Peel Street / Melbourne Street apartments
Morley
NB in addition to 3no. spaces on site

SCALE 1:200

REV

DATE March 2009

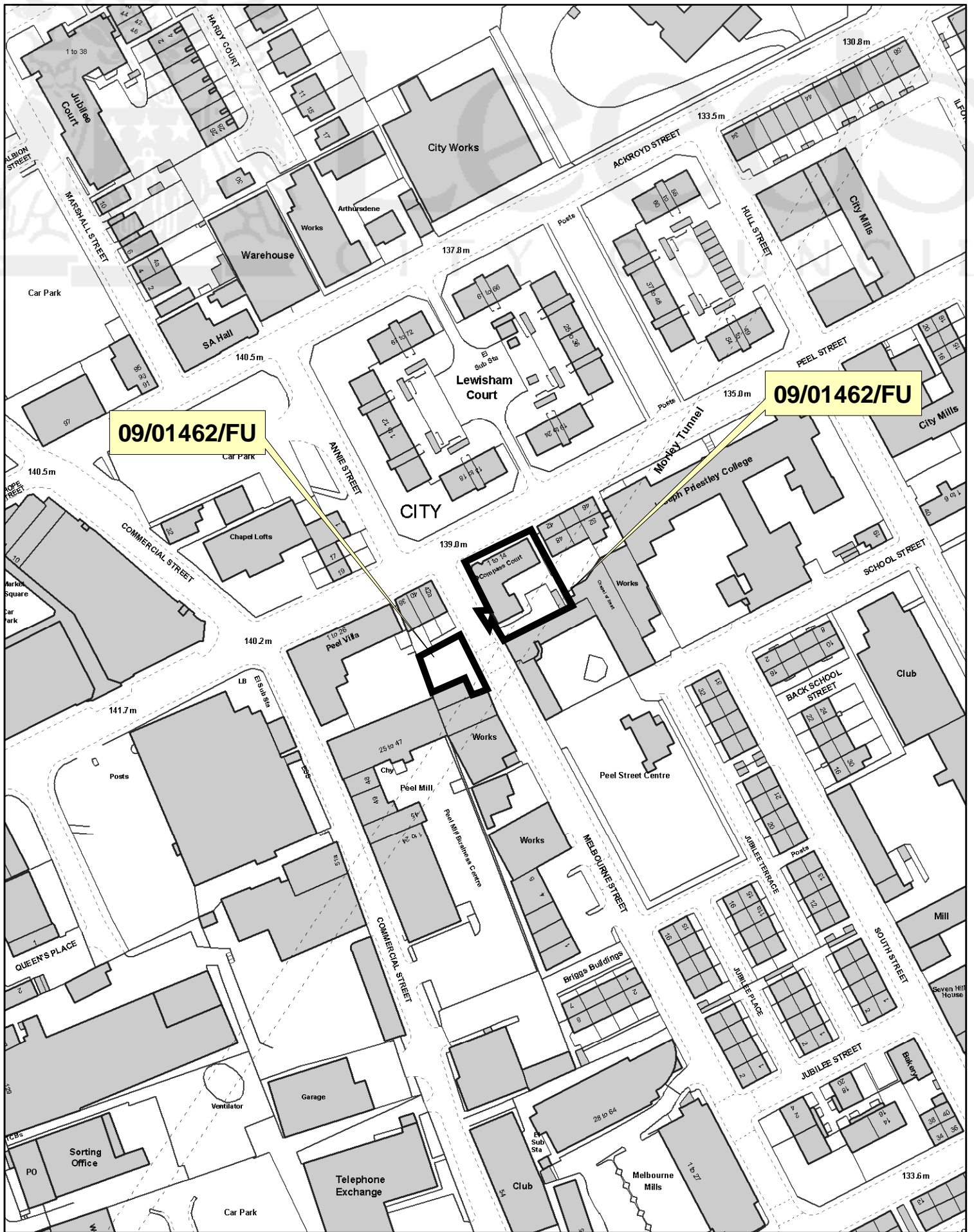
CLIENT

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PROJECT

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Peel Street / Melbourne Street,
Morley

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EAST PLANS PANEL I

Scale 1/1500

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